

**RECORD OF PROCEEDINGS  
OF THE GOVERNING BODY  
CITY OF GARDNER, KANSAS**

Page No.2007-51

July 16, 2007

The City Council of the City of Gardner, Kansas, met in regular session on Monday, July 16, 2007, at 7:00 P.M. in the Council Chambers at Gardner City Hall, 120 East Main Street, Gardner, Kansas, with the Honorable Mayor, Carol Lehman presiding. Present were Councilmembers Winters, Breen, Shepherd, Raney and Drovetta. City Staff present were City Administrator Fairburn, Assistant City Administrator Mundt, Finance Director Gourley, Public Works Director Greene, Community Development Director Sherman, Public Safety Director Francis, Park and Recreation Director Stewart, City Attorney Hubbard and City Clerk Anderson. Others present included those listed on the attached sign in sheet and others who did not sign in.

**CALL TO ORDER**

There being a quorum of Councilmembers present, the meeting was called to order by Mayor Lehman at 7:00 P.M.

**PLEDGE OF ALLEGIANCE**

Councilmember Drovetta led those in attendance in the Pledge of Allegiance.

**PRESENTATION**

Council joined with the Mayor in receiving the presentation of 2006 City Financial Statements and CAFR. Karen Linn, Shareholder, presented the highlights of the audit to Council.

**PUBLIC COMMENTS**

Linda Meisinger, 25800 W. 199<sup>th</sup>, Dolphin Song Owner, thanked Shepherd for comments at a Work Session. Meisinger commented on the recent exchanges at Council meetings and stated that she appreciates them. Meisinger stated there was no need to make comparisons between Gardner and other cities.

**CONSENT AGENDA**

Councilmember Drovetta made a motion to approve Consent items 1 – 7, and 10.

1. Standing approval of the minutes as written for the regular meeting on July 2, 2007.
2. Standing approval of the expenditures prepared on June 29 and July 9, 2007 in the amount of \$1,553,495.66.
3. Consider the Acceptance of Easements and Rights-of-Way for the Final Plats for The Reserve at Waverly Pointe, 1<sup>st</sup> Plat; FP-07-07
4. Consider the Acceptance of Easements and Rights-of-Way for the Final Plats for The Reserve at Waverly Pointe, 2<sup>nd</sup> Plat; FP-07-08
5. Consider the Acceptance of Easements and Rights-of-Way for the Final Plat for: Waverly Pointe, 2<sup>nd</sup> Plat; FP-07-09
6. Authorize purchase and installation of a rotating outdoor storm warning siren for the Northwest area of our City.
7. Consider authorizing the purchase of 500 tons of deicing salt from Cargill Deicing Technology.

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- ~~8. Consider authorizing the City Administrator to execute a contract with PAR Electrical Contractors Inc. to relocate electric distribution lines for the Lincoln Line, Cedar Street to Moonlight Road, Street Improvement Project.~~
- ~~9. Consider authorizing the City Administrator to execute a contract with Dean Engine Systems for the Generator No. 1 Starter Engine and Clutch Replacement Project.~~
10. Consider appointing David M. Greene as the City of Gardner's Alternate Voting Member on the Johnson County Stormwater Management Advisory Council.

Councilmember Breen seconded the motion.

All of the members voting in favor of the motion, the motion carried.

8. Consider authorizing the City Administrator to execute a contract with PAR Electrical Contractors Inc. to relocate electric distribution lines for the Lincoln Line, Cedar Street to Moonlight Road, Street Improvement Project.

Shepherd inquired about additional bids for project. Ken Arnold, Electric Manager, explained that no other bids were received. Arnold informed Council that this bid is comparable to other costs for similar work that the City has performed. Greene added that \$20,000 of the amount is for materials.

Councilmember Shepherd made a motion to authorize the City Administrator to execute a contract with PAR Electrical Contractors, Inc. to relocated electric distribution lines for the Lincoln Lane, Cedar Street to Moonlight Road, Street Improvement Project in an amount not to exceed \$65,900.

Councilmember Drovetta seconded the motion.

All of the members voting in favor of the motion, the motion carried.

9. Consider authorizing the City Administrator to execute a contract with Dean Engine Systems for the Generator No. 1 Starter Engine and Clutch Replacement Project.

Raney inquired about the possibility of repairing the existing engine or purchasing a used engine. Greene explained that the engine does not meet visual inspections, is worn out, and causing the City to not be in compliance with air quality. Arnold explained that the engine is 1968 equipment and that parts are no longer available. Dave Franq, Electric Plant Operator, added that this engine was rebuilt almost 20 years ago and that staff has been having problems with it for the past five years. Franq added that another used engine would not be desirable due to the stress that is put on them. Breen commented that these engines are not rebuilt. Shepherd inquired about the bid coming in lower than staff had expected. Arnold explained that he anticipated problems with fitting the replacement engine. Caterpillar assured Arnold that their engine would fit.

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Councilmember made a motion to authorize the City Administrator to execute a contract with Dean Engine Systems for the Generator No. 1 Starter Engine and Clutch Replacement Project for \$58,292.00.

Councilmember Winters seconded the motion.

Raney voted in opposition.  
With a majority of the members voting in favor of the motion, the motion carried.

**Public Safety Station Change Order**

Mundt explained that a fire sprinkling system was not included in the original specifications, but through the building permit process it was determined that a sprinkler system would be required. Drovetta asked for clarification on the need of sprinkler system. Sherman explained that it depends on the size of the building and type of occupancy. Mundt explained that the cost is the same as it would have been if the sprinkler system would have been in the original specifications. Raney inquired about the possibility of the design team being able to trim other places. Drovetta commented that the team has already designed out all that it could. Shepherd inquired about the original estimated amount for the project.

Councilmember Drovetta made a motion to authorize the City Administrator to execute Change Order No. 1 to the construction contract with McCown Gordon Construction for the Plum Creek Public Safety Station in an amount not to exceed \$47,218.00.

Councilmember Breen seconded the motion.

Raney voted in opposition.  
With a majority of the members voting in favor of the motion, the motion carried.

**Festival On The Trails Entertainment**

Councilmember Drovetta made a motion to authorize the City Administrator to enter into a contract with Dreambound Enterprises, Inc. for main stage entertainment for the Festival on the Trails in amount not to exceed \$25,000.00 from the Sesquicentennial Fund for Saturday, September 15<sup>th</sup> at 8 p.m.

Councilmember Breen seconded the motion.

All of the members voting in favor of the motion, the motion carried

**Great Santa Fe Horse Race**

Councilmember Drovetta made a motion to authorize the City Administrator to enter into a License Agreement with the Johnson County Airport Commission for the Great Santa Fe Horse Race event.

Councilmember Winters seconded the motion.

All of the members voting in favor of the motion, the motion carried

**Municipal Cooperation with Edwardsville: Interim Police Chief**

Councilmember Drovetta made a motion to approve a municipal cooperation agreement with Edwardsville for an Interim Police Chief.

Councilmember Shepherd seconded the motion.

All of the members voting in favor of the motion, the motion carried.

Lehman reminded Council of the Budget Meeting on July 17, 2007 at City Hall. Shepherd commented on the dollar amount of settling change orders and claims. Lehman reminded Council that Change Orders are a small part of what goes on in the City. Lehman explained to Council that they do not see the hundreds of things that go right but are only presented with the items that staff needs assistance with.

There being no further business to come before the Council, on a motion duly made and seconded, the meeting adjourned at 8:02 P.M.

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Teresa Anderson, City Clerk